

March 18, 1975

SENATOR DWORAK: Yeah. I think it's in the . . . Dave Pierson testified in favor of it representing the Fidelity National Title Insurance Company, a domestic title company in the State of Nebraska. Dave is an attorney in Lincoln. He discussed this matter with me. I was in agreement with his concept.

SENATOR SAVAGE: Chair recognizes Senator Frank Lewis.

SENATOR F. LEWIS: I have a question for Senator Dworak.

SENATOR SAVAGE: Senator Dworak.

SENATOR DWORAK: Yes.

SENATOR F. LEWIS: Is this price fixing?

SENATOR DWORAK: Pardon.

SENATOR F. LEWIS: Is this price fixing?

SENATOR DWORAK: No.

SENATOR F. LEWIS: Well could I ask another question? If it's not price fixing, are you requiring them all to charge the same?

SENATOR DWORAK: No.

SENATOR F. LEWIS: You hesitated Senator Dworak, that is a mistake in legislative debate.

SENATOR DWORAK: I wanted to be sure Senator Lewis.

SENATOR F. LEWIS: I have another question. Well let me put this in common talk. Now does this mean that no one can charge whatever they want to charge for any services they are rendering?

SENATOR DWORAK: It does not mean that.

SENATOR F. LEWIS: Well could you explain that to me, as the Chair says, succinctly what it does do?

SENATOR DWORAK: Anybody can charge whatever they want to charge. The intent of the legislation is that when an abstractor makes a charge, or when a customer pays an abstracting charge he pays to the abstractor only. He doesn't pay a middleman, somebody that went out and sought the business, such as a realtor or a mortgage institution, which has been the case. The abstractor can still charge whatever he wants to charge, whatever he feels his work's worth. It does not eliminate that.

SENATOR F. LEWIS: The person has to go directly to the abstractor? He doesn't go through the other guy?

SENATOR DWORAK: The person does not have to go directly to the abstractor, but if he does use an intermediary, such as a mortgage company or a realtor, the mortgage company and the realtor will be precluded from taking part of the abstracting fee.